

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

In Re:

JAMES MICHAEL LITTLE,
Debtor

YORK HAVEN SEWER AUTHORITY,
Movant

v.

JAMES MICHAEL LITTLE

AND

JACK N. ZAHAROPOULOS,
CHAPTER 13 TRUSTEE,
Respondents

Chapter 13

Case No. 1-23-02273-HWV

MOTION FOR RELIEF FROM THE AUTOMATIC
STAY PURSUANT TO 11 U.S.C. § 362(a)

COMES NOW, this 25th day of November, 2024, the Movant, York Haven Sewer Authority, by and through its attorneys, CGA Law Firm, Craig S. Sharnetzka, Esquire, respectfully represents the following:

1. Movant is the York Haven Sewer Authority, (hereinafter "Movant"), a municipal authority organized and existing under the laws of the Commonwealth of Pennsylvania with an office at the York Haven Sewer Authority, P.O. Box 394, York Haven, Pennsylvania 17370. Movant is represented by CGA Law Firm, Craig S. Sharnetzka, Esquire.

2. The first Respondent is James Michael Little (hereinafter "Debtor"), an adult individual whose last known address is 120 S Landvale St, York Haven, Pennsylvania 17370-9011. Debtor is represented by Michael A. Cibik, Esquire, Cibik Law, P.C., 1500 Walnut Street Suite 900, Philadelphia, Pennsylvania 19102.

{02353461/1}

3. The second Respondent is Jack N. Zaharopoulos, Esquire (hereinafter "Trustee"), who has been duly appointed and qualified to act as the Trustee in the within bankruptcy case and maintains an office at 8125 Adams Drive, Suite A, Hummelstown, Pennsylvania 17036.

4. The within case was filed as a voluntary petition under Chapter 13 of the Bankruptcy Code on October 3, 2023. The Bankruptcy Court has jurisdiction concerning this matter pursuant to 28 U.S.C. § 1334 and 11 U.S.C. § 362.

5. At all relevant times, the Debtor has been the real owner of a tract or parcel of land with buildings and other improvements thereon located at 120 S Landvale St, York Haven, Pennsylvania 17370-9011 (hereinafter "Premises").

6. At all relevant times, Movant has provided sewer services to the Premises.

7. The Debtors have failed or refused to pay post-petition quarterly payments and related late fees due from October 3, 2023 through and including November 25, 2024. The total amount of the post-petition delinquency is \$821.74. No post-petition payments were made, therefore there is no Debtor post-petition payment history attached.

8. Additionally, Debtors have an unpaid pre-petition balance of \$2,863.65 as evidenced by Proof of Claim No. 5-2 filed on April 3, 2024.

9. Movant believes, and therefore avers, that the Premises is neither necessary nor available for a reorganization of Debtors.

10. Movant requests that the Automatic Stay be lifted for the purpose of filing and executing upon a municipal claim against the Premises in the Court of Common Pleas of York County, Pennsylvania in order to secure payment of the sewer fees and attorney's fees and expenses that are due and owing to Movant.

{02353461/1}

11. Additionally, Movant requests additional counsel fees in the amount of \$1,050.00 plus expenses in the amount of \$277.39 related to the within Motion.

WHEREFORE, Movant moves the Court to grant Movant relief from the Automatic Stay pursuant to 11 U.S.C. § 362(a), and to have such other and further relief as is just and proper.

Respectfully submitted,

CGA Law Firm

/s/Craig S. Sharnetzka, Esquire

Craig S. Sharnetzka, Esquire

Supreme Court No. 83863

135 North George Street

York, PA 17401

Telephone: 717-848-4900

Attorney for Movant